

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF  
NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office NOV 15 2000

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_

Map filed MAR 28 1988 under 51890

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The applicant **Empire Farms, LLC**, a Nevada Limited Liability Company hereby makes application for permission to change the **Manner and Place of use of a Portion** of water heretofore appropriated under **Permit 51890**

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1. The source of water is **Underground**
2. The amount of water to be changed **0.188 cfs, not to exceed 136 acre-feet annually**
3. The water to be used for **Industrial (Dehydration Processing Plant)**
4. The water heretofore permitted for **Industrial (Power Plant Cooling Water)**
5. The water is to be diverted at the following point **SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 36, T.30N., R.22E., M.D.B.&M., or at a point from which the NE corner of Section 4, T.29N., R.23E., M.D.B.&M., bears S. 77°01'57" E., a distance of 17,380 feet.**
6. The existing permitted point of diversion is located within **Unchanged**
7. Proposed place of use **Portions of the SE $\frac{1}{4}$  NE $\frac{1}{4}$ , SW $\frac{1}{4}$  NE $\frac{1}{4}$ , NE $\frac{1}{4}$  SE $\frac{1}{4}$ , NW $\frac{1}{4}$  SE $\frac{1}{4}$ , all within Section 16, T.29N, R.23E., M.D.B.&M. Use map on file under Permit 63702 to illustrate the proposed place of use.**
8. Existing place of use **Lot 2, SW $\frac{1}{4}$  NE $\frac{1}{4}$ , SE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 21, T.29N., R.23E., M.D.B.&M. Use map on file under Permit 51890 to illustrate the existing place of use.**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **Existing drilled and cased well, equipped with a motor, pump, meter and pipeline to place of use.**
12. Estimated cost of works **Completed under Permit 51890**
13. Estimated time required to construct works **Completed under Permit 51890**
14. Estimated time required to complete the application of water to beneficial use **Three (3) Years**
15. Remarks: **Water is developed from an existing well and piped to a Geothermal Powerplant. A separate line would convey water to a Dehydration Plant where water would be used for washing and processing of vegetables as well as culinary purposes by the plant staff. Use map on file under Permit 51890 for existing and proposed point of diversion.**

By **Gregory M. Bilyeu**  
**s/Gregory M. Bilyeu**  
**500 Damonte Ranch Parkway, Suite 1056**  
**Reno, NV 89511**

Compared cmf/ kdq d1/gk1

Protested \_\_\_\_\_

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 51890 is issued subject to the terms and conditions imposed in said Permit 51890 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

(CONTINUED ON PAGE 3)

(PERMIT TERMS CONTINUED)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.188 cubic feet per second, but not to exceed 136.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

May 2, 2007

Proof of completion of work shall be filed on or before:

June 2, 2007

Water must be placed to beneficial use on or before:

May 2, 2009

Proof of the application of water to beneficial use shall be filed on or before:

June 2, 2009

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 2nd day of May, A.D. 2006

  
\_\_\_\_\_  
State Engineer

Completion of work filed \_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_ N/A \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_